

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 7487

BILL NUMBER: SB 442

DATE PREPARED: Jan 5, 1999

BILL AMENDED:

SUBJECT: Railroad safety division chief.

FISCAL ANALYST: James Sperlik

PHONE NUMBER: 232-9866

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill creates the Railroad Safety Division within the Indiana Department of Transportation. It provides for the appointment of a railroad safety division chief by the Commissioner of the Indiana Department of Transportation.

Effective Date: July 1, 1999.

Explanation of State Expenditures: The division chief would have the following powers and duties: (1) Administer the division; (2) Coordinate the activities of the division's planning and grant section, regulatory section, and engineering section to further the objective of fostering safety measures at railroad crossings; (3) Receive copies of all complaints that the department receives from citizens, interest groups, and local government entities in regard to dangerous or hazardous railroad crossings, and immediately investigate those crossings; (4) Compile research in regard to what other states have done concerning railroad crossing safety measures. Report to the General Assembly and to the Governor the research findings and how similar safety measures could be implemented in Indiana; (5) Negotiate with railroads concerning railroad crossing safety projects; (6) Supervise railroad safety projects in an effort to ensure compliance with applicable statutes, rules, orders, directives, and contracts; (7) Employ the personnel necessary to carry out the functions of the office.

The newly created division would consist of the following sections:

- (1) The planning and grant section.
- (2) The engineering section.
- (3) The regulatory section.

The responsibilities of the regulatory section include the following:

- (1) Approving the construction of new railroad crossings.
- (2) Ordering the modification and closing of railroad crossings.

- (3) Ordering railroads to take action for the safety of employees and citizens.
- (4) Assisting the division chief with the duties enumerated above.

The duties of the planning and grant section include the following:

- (1) Planning for high speed passenger rail.
- (3) Approving passive railroad crossings for the Railroad Grade Crossing Fund created under IC 8-6-7.7-6.1.
- (5) Compiling statistical and analytical reports related to railroad safety and operations.

The duties of the engineering section include the following:

- (2) Supervising preliminary engineering work for construction and modification of railroad crossings.
- (3) Designing and approving active warning devices for railroad grade crossings.
- (5) Coordinating programming and related activities for implementation of federal funds related to rail

The bill states that the division chief shall receive a salary of not less than \$60,000 per year and may employ personnel necessary to carry out the functions of the office. It is assumed here that the newly created
for fiscal year 2000, the first year of the program, is estimated at \$108,972, which includes the salary and benefits for the two employees along with indirect costs of \$6,000. The cost for the second year of the program, fiscal year 2001 is estimated to be \$109,702, and consists of the salary and fringe benefits and

The funds and resources required could be supplied through a variety of sources, including the following:
Existing staff and resources not currently being used to capacity; (2) Existing staff and resources currently
that would need to be reclassified; (4) Funds that, otherwise, would be reverted; or (5) New appropriations.
of December 31, 1998, the INDOT had 5,675 authorized positions on the Manning Table, with 4,887 filled
required to satisfy the requirements of this bill will depend upon legislative and administrative actions. The

Explanation of State Revenues:

Explanation of Local Revenues:

State Agencies Affected: Department of Transportation.

Potentially all entities that have rail grade crossings in their jurisdiction.

Information Sources: